

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

WESTWOOD ONE, LLC,

Plaintiff,

v.

LOCAL RADIO NETWORKS, LLC

Defendant.

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) Civil Action No. 1:21-cv-00088
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**DEFENDANT LOCAL RADIO NETWORKS, LLC'S REQUEST
FOR ORAL ARGUMENT ON ITS RULE 12 MOTION TO DISMISS**

Defendant Local Radio Networks, LLC respectfully requests oral argument on its Rule 12(c) Motion to Dismiss.

It estimates that argument would take 30 minutes total for both sides to present argument.

Oral argument is necessary to address in detail why the representative claims of the two patents at issue are abstract and do not constitute patent eligible subject matter.

35 U.S.C. 101 under which this Rule 12 Motion is brought is the gateway to the Patent Act. "The obligation to determine what type of discovery is sought to be patented" so as to determine whether it falls within the ambit of Section 101 "must precede the determination of whether that discovery is, in fact, new or obvious." *Parker v. Flook*, 437 U.S. 584, 593 (1978). The subject matter inquiry under this Rule 12 Motion is the primal inquiry, one that must be addressed at the outset of litigation. *In Re Comiskey*, 554 F.3d 967, 973 (Fed. Cir. 2009).

Date: July 27, 2021

Respectfully submitted,

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The undersigned hereby certifies that on July 27, 2021, I electronically filed the foregoing Defendant Local Radio Networks, LLC's Request for Oral Argument on Its Rule 12 Motion to Dismiss with the Clerk of the Court using the CM/ECF system which sent notifications of such filing to all counsel of record registered to receive same.

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